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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,244	12/18/2001	Tomomi Kawase	111246	8736
25944	7590	10/07/2003	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			NGUYEN, LAMSON D	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/020,244

Applicant(s)

KAWASE ET AL.

Examiner

Lamson D Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 9, 11, 14-16, 22, 24-27, 33 and 35 is/are allowed.
- 6) ☐ Claim(s) 2 is/are rejected. *Ch 9/14/03*
- 7) ☐ Claim(s) 4-8, 10, 12-13, 17-21, 23, 28-32, 34, 36-38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. New corrected drawing of figure 24, which depicts convention art, are required in this application because it is missing from the application. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-8, 10, 12-13, 17-21, 23, 28-32, 34, 36-38 are rejected under 35

U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- The above claims fail to further limit the claims on which they depend. For example, claim 4 claims a structure that does not limit claim 1 which is a method claim. Claims 12-13 claim method of manufacturing a liquid crystal device, but they depend on a claim that claims method of making a color filter. The same goes for claims 5-8, 10, 17-21, 23, 28-32. Claims 36-38 which are apparatus claims, but they depend on method claims.

***Allowable Subject Matter***

3. Claims 1-3, 9, 11, 14-16, 22, 24-27, 33, and 35 allowed.
4. Claims 4-8, 10, 12-13, 17-21, 23, 28-32, 34, 36-38 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

- the primary reason for the allowance of claims 1-3, 9, 11 is the inclusion of the limitation of a method of and apparatus for producing a color filter comprising the steps of a first main scanning while discharging a filter material from a plurality of nozzles to a substrate and scanning one of the head and the substrate relative to each other while discharging a filter material to the substrate, the second main scanning being performed such that a portion of a crossing region of the nozzle row and the substrate overlaps with at least a portion of a crossing region of the nozzle row and the substrate in the first main scanning step. It is these limitations found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.
- the primary reason for the allowance of claims 14-16, 22, 24 is the inclusion of the limitation of a method of and apparatus for producing an EL device comprising the steps of a first main scanning while discharging EL luminescent material from a plurality of nozzles to a substrate and second main scanning step of scanning one of the head and the substrate relative to each other while discharging EL luminescent material to the substrate, the second main scanning being performed such that a portion of a crossing region of the nozzle row and the substrate overlaps with at least a portion of a crossing region of the nozzle row and the substrate in the first main scanning step. It is these limitations found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

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- the primary reason for the allowance of claims 25-27, 33, and 35 is the inclusion of the limitation of a method and apparatus for discharging a material to an object comprising the steps of a first main scanning while discharging a material from a plurality of nozzles to a substrate and scanning one of the head and the substrate relative to each other while discharging a material to the substrate, the second main scanning being performed such that a portion of a crossing region of the nozzle row and the substrate overlaps with at least a portion of a crossing region of the nozzle row and the substrate in the first main scanning step. It is these limitations found in each of the claims, as it is claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

\* Yamaguchi et al. (6,364,450) teach a method of manufacturing a color filter without decreasing the yield even if the nozzle surfaces of inkjet heads are repeatedly wiped and cleaned.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamson D Nguyen whose telephone number is 703-306-4546. The examiner can normally be reached on 8-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Fuller can be reached on 703-308-0079. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1134.

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September 24, 2003

  
09/24/03  
**LAMSON NGUYEN**  
**PRIMARY EXAMINER**